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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion and
Protection of Human Rights
Working Group on Contemporary
Forms of Slavery
Twenty-fifth session
14-23 June 2000

PROVISIONAL AGENDA

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2 Adoption of the agenda

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COMMISSION ON HUMAN RIGHTS
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Forms of Slavery
Twenty-fifth session
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ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General pursuant to paragraph 13
of resolution 1988/31 of the Sub-Commission

1 Election of officers

1 Rule 23 of the rules of procedure of the functional commissions of the Economic and Social Council provides that unless the Commission decides otherwise, its subsidiary organs shall elect their own officers

2 Adoption of the agenda

2 Rule 7 of the rules of procedure provides that the agenda shall be adopted at the beginning of each session, after the election of officers, on the basis of the provisional agenda The provisional agenda for the present session of the Working Group on Contemporary Forms of Slavery is contained in document E/CN 4/Sub 2/AC 2/2000/1

3 The programme of work of the Working Group for the period 1988-1999 included the following themes discussed in successive years prevention of the sale of children, of the prostitution of children and of the use of children in pornography (1989), eradication of the exploitation of child labour and of debt bondage (1990), and prevention of traffic in persons and of the exploitation of the prostitution of others (1991), an overall evaluation of its activities

during the fourteenth, fifteenth and sixteenth sessions, as well as the consideration of any crucial, serious or urgent matters. The Working Group also decided to work by themes and to seek solutions and strategies, giving particular attention to the following items included in the agenda: training of law enforcement officials and police, economic development programmes, information campaigns, education programmes for children in danger, new forms of legislation, rehabilitation measures and the protection of working children (1992-1994). It decided to consider the issues of illegal adoptions, domestic workers and in particular girl children (1995), the World Congress Against Commercial Sexual Exploitation of Children, migrant workers, in particular women and girl domestic workers (1996), paedophilia and illegal activities of certain religious and other sects, corruption and international debt as promoting factors of contemporary forms of slavery (1997-1998), and the issue of trafficking in persons, in particular women and children (1999). The Working Group agreed that special attention should be devoted to domestic and migrant workers at each session.

4. At its twenty-third session (1998), the Working Group decided to devote its twenty-fifth session (2000) to the issue of bonded labour and debt bondage. Consequently, and in line with the practice adopted at its previous session, the Working Group decided to reorganize its provisional agenda slightly in order to reflect this priority. Therefore, the item on bonded labour and debt bondage became the third item on the agenda.

3. Bonded labour and debt bondage

5. Sub-Commission resolutions relevant to bonded labour are 6 B (XXXI) of 13 September 1978, 8 (XXXIII) of 10 September 1980, 1982/15, 1985/25, 1988/31 and 1990/30.

6. In its decision 1993/112, the Commission authorized the Sub-Commission to consider the possibility of appointing a special rapporteur to update the study of Mr. A. Bouhdiba on the exploitation of child labour (E/CN 4/Sub 2/479) and to extend that study to the problem of debt bondage. The Sub-Commission, in its resolution 1993/5, decided to appoint Mrs. H.E. Warzazi as Special Rapporteur for that purpose. Moreover, the Sub-Commission decided to keep the question of debt bondage under consideration to assess the progress achieved, with a view to the elimination of that intolerable practice.

7. For further action taken on this subject by the Sub-Commission and by the Commission on Human Rights, see the section on child labour.

4. Review of the implementation of and follow-up to the conventions on slavery

(a) Status of the conventions

8. The Commission on Human Rights, in its resolution 1994/25, and the Sub-Commission, in its resolution 1993/5, requested the Secretary-General to invite States parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the

Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 to submit to the Sub-Commission regular reports on the situation in their countries, as provided for under the conventions and in Economic and Social Council decision 16 (LVI) of 17 May 1974

9. Information relating to the status of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery and of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others is contained in two notes by the Secretary-General (E/CN 4/Sub 2/AC 2/2000/2 and E/CN 4/Sub 2/AC 2/2000/3, respectively)

(b) Review of information received regarding the implementation of the conventions and programmes of action

(i) Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography

10. The Commission on Human Rights, in its resolution 1992/74, adopted the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and decided to examine the question of the implementation of the Programme of Action by all States every two years. To that end, the Commission requested the Sub-Commission to submit to it a report on the status of implementation of the Programme of Action. The Sub-Commission, in its resolutions 1992/2, 1994/5, 1996/12 and 1998/19, requested the Secretary-General to invite all States to inform the Sub-Commission of the measures adopted to implement the Programme of Action. Information submitted by States regarding the implementation of the Programme of Action was made available to the Sub-Commission at its forty-fifth session (E/CN 4/Sub 2/1993/31 and Add 1), at its forty-seventh session (E/CN 4/Sub 2/1995/29 and Add 1), at its forty-ninth session (E/CN 4/Sub 2/1997/11) and at its fifty-first session (E/CN 4/Sub 2/1999/15) and to the Commission at its fiftieth, fifty-second, fifty-fourth and fifty-sixth sessions

(ii) Programme of Action for the Elimination of the Exploitation of Child Labour

11. The Commission on Human Rights adopted the Programme of Action for the Elimination of the Exploitation of Child Labour in the annex to its resolution 1993/79 and recommended that all States should adopt, as a matter of priority, the necessary legislative and administrative measures to implement the Programme of Action at the national and international levels. Furthermore, the Commission requested the Sub-Commission to submit every two years a progress report on the implementation of the Programme of Action by all States.

12. In its resolutions 1993/5, 1995/16 and 1997/22, the Sub-Commission requested the Secretary-General to report to the Sub-Commission at its forty-sixth, forty-eighth and fiftieth sessions and to the Commission at its fifty-first, fifty-third and fifty-fifth sessions on the implementation by States of the Programme of Action. The reports of the Secretary-General

containing information regarding the status of implementation of the Programme of Action (E/CN 4/Sub 2/1994/34, E/CN 4/Sub 2/1996/25 and E/CN 4/Sub 2/1998/12) were submitted to the Sub-Commission and the Commission

13 In its resolution 1999/17, the Sub-Commission requested the Secretary-General to invite all States to inform the Working Group of measures adopted to implement the Programme of Action for the Elimination of the Exploitation of Child Labour and to report thereon to the Sub-Commission at its fifty-second session and to the Commission at its fifty-seventh session At its present session, the Working Group will have before it the report of the Secretary-General containing information regarding the status of implementation of the Programme of Action

5 Review of developments in the field of contemporary forms of slavery and measures to prevent and repress all contemporary forms of slavery, including the consideration of corruption and international debt as promoting factors of contemporary forms of slavery

14 All information received by the Secretary-General relating to the various questions to be considered under item 5 of the provisional agenda will be available in document E/CN 4/Sub 2/AC 2/2000/4

15 At its twenty-second session, the Working Group decided to review its agenda and to categorize the types of exploitation It also decided to pay particular attention, when considering the items on its provisional agenda, to the question of corruption as a factor encouraging exploitation In that regard, in its resolution 1998/19, the Sub-Commission urged States to examine and analyse the causes and the consequences of corruption and to take steps to eradicate the root causes Furthermore, the Working Group decided to examine the question of international debt as another factor promoting exploitation

(a) Economic exploitation

(i) Domestic and migrant workers

16 The Commission on Human Rights, in its resolutions 1989/35, 1990/63, 1991/58, 1992/47, 1993/27, 1994/25, 1995/27, 1996/61, 1997/20 and 1999/46, invited all Member States to consider the possibility of taking appropriate action for the protection of particularly vulnerable groups such as children and migrant women against exploitation by prostitution and other slavery-like practices, including the possibility of establishing national bodies to achieve those objectives The Commission also requested Governments to pursue a policy of information, prevention and rehabilitation of women victims of the exploitation of prostitution and to take the appropriate economic and social measures deemed necessary to that end

17 Reference is made to General Assembly resolutions 49/175, 53/137 and 54/158 and Commission on Human Rights resolutions 1995/21, 1999/45 and 2000/49, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families" In its resolutions 1994/5, 1995/16, 1996/12, 1997/22, 1998/10 and 1999/17, the Sub-Commission urged States to ratify the Convention, which was adopted by the

General Assembly in its resolution 45/148. In its resolution 1998/10, the Sub-Commission considered that the misuse of information technology, particularly as directed towards the incitement of racism and racial violence, should be monitored and appealed to the Governments concerned to establish appropriate legal and other forums and institutions to address the problems of migrants and to provide access to them for migrant workers. In its resolution 1999/17, the Sub-Commission urged States to take necessary measures to prohibit and sanction the confiscation of passports belonging to migrant workers, in particular, migrant domestic workers.

18. Reference is also made to General Assembly resolutions 49/165, 50/168, 51/65, 52/97 and 54/138, entitled "Violence against women migrant workers", in which the Assembly and the Commission encouraged Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families, as well as the Slavery Convention of 1926.

(ii) Child labour

19. In its resolution 7 B (XXXII) of 5 September 1979, the Sub-Commission decided to review the question of the exploitation of child labour annually. Upon the recommendation of the Sub-Commission, the Commission on Human Rights, in its resolution 17 (XXXVI) of 29 February 1980, recommended to the Economic and Social Council that it authorize the Sub-Commission to entrust Mr. Abdelwahab Bouhdiba as Special Rapporteur with the preparation of a report on the exploitation of child labour. The Council endorsed that recommendation in its decision 1980/125.

20. The Sub-Commission, in its resolutions 1990/30, 1991/34 and 1992/2, requested the Commission on Human Rights to authorize it to consider the possibility of appointing a special rapporteur to update Mr. Bouhdiba's study on the exploitation of child labour (United Nations publication, Sales No. E.82.XIV.2) and to extend that study to the problem of debt bondage.

21. The Economic and Social Council, in its resolution 1993/48, endorsed decision 1993/112 of the Commission authorizing the Sub-Commission to consider the possibility of appointing a special rapporteur to update the study.

22. The Sub-Commission, in its resolution 1993/5, taking into account the above-mentioned decision of the Commission, decided to appoint Mrs. Halima Embarek Warzazi as Special Rapporteur to update the study. In its decision 1994/103, the Commission requested the Sub-Commission to reconsider its decisions to recommend new studies and related efforts, including the appointment of a special rapporteur on child labour.

23. The Sub-Commission, in its resolution 1994/5, recommended that the Commission on Human Rights at its fifty-first session endorse the appointment of Mrs. Warzazi as Special Rapporteur on the exploitation of child labour and debt bondage. In its resolution 1995/27, the Commission on Human Rights requested the Sub-Commission to give further consideration to the proposed appointment and to make the appointment subject to the submission of a preparatory document.

24. In its resolution 1996/12, the Sub-Commission decided to study further the possible appointment of a special rapporteur on the exploitation of child labour and debt bondage, having due regard to the importance of a study on child labour.

25. The Commission, in its resolutions 1997/20 and 1999/80, and the Sub-Commission, in its resolutions 1997/22 and 1999/17, called upon States that had not yet done so to consider ratifying the pertinent international instruments, including the Forced Labour Convention, 1930 (No. 29) and the Minimum Age Convention, 1973 (No. 138) of the International Labour Organization. In its resolution 1999/17, the Sub-Commission invited States to ratify in a timely manner the new Convention (No. 182) on the Worst Forms of Child Labour of the International Labour Organization.

26. The Sub-Commission, in its resolution 1998/19, drew the attention of the international community to the gender aspect of child labour. In that regard, the Sub-Commission called upon States to eliminate all discrimination against girls in education, skills development and training and invited the international community to cooperate in developing viable alternatives to child labour, in particular for young girls.

27. In its resolution 1999/17, the Sub-Commission urged States to enact specific legislation to define the offence of debt bondage and to provide for the punishment of those responsible, and to ensure the rehabilitation of the victims. It also urged States to support rehabilitation of the victims of debt bondage through economic, social and educational programmes.

(iii) Forced labour

28. At each of its sessions, the Working Group has reaffirmed that forced labour is a contemporary form of slavery, expressed its concern at allegations that this practice has not yet been eliminated, and decided to continue to give consideration to this item at its next session.

(b) Sexual exploitation

29. In its resolutions 1998/19 and 1999/17, the Sub-Commission recommended that Governments, as a matter of priority, review, amend and enforce existing laws, or enact new laws to prevent the misuse of the Internet for trafficking, prostitution and the sexual exploitation of women and children.

30. In its resolution 1999/17, the Sub-Commission also requested that Governments investigate and use as evidence of crimes and acts of discrimination advertising, correspondence and other communications over the Internet to promote sex trafficking, the exploitation of prostitution, sex tourism, bride trafficking and rape.

(i) Suppression of the traffic in persons and the exploitation of the prostitution of others

31. Relevant Sub-Commission resolutions regarding this issue are 6 B (XXXI) of 13 September 1978, 1987/31, 1988/31, 1990/30, 1991/115 and 1992/3.

32. Relevant Economic and Social Council resolutions relating to this item are 1980/4, 1981/40, 1982/20, 1983/30, 1989/74, 1990/46, 1991/35, 1992/10, 1993/48.

33. In its resolution 1991/37, the Sub-Commission endorsed the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others, drawn up by the Working Group on Contemporary Forms of Slavery at its sixteenth session (E/CN.4/Sub.2/1991/41, annex I).

34. The Commission on Human Rights, in its resolution 1992/36, endorsed the views expressed by the Sub-Commission on the need to launch concerted action to combat the traffic in persons and the exploitation of the prostitution of others and decided to transmit the draft programme of action to Governments, specialized agencies and intergovernmental and non-governmental organizations for their comments.

35. Upon the request of the Commission, the Secretary-General submitted reports (E/CN.4/1993/58 and Add.1 and E/CN.4/1994/71 and Add.1) containing summaries of the comments received to the Commission at its forty-ninth and fiftieth sessions. No action was taken by the Commission at those sessions with regard to the draft programme of action and the comments contained in the above-mentioned reports.

36. In its resolution 1994/5, the Sub-Commission recommended that the Commission on Human Rights take into consideration at its fifty-first session and eventually adopt the draft programme of action. The Commission, in its resolution 1995/27, requested the Sub-Commission at its forty-seventh session to review the draft programme of action in the light of comments already received or to be received and to submit to the Commission at its fifty-second session a final draft for approval.

37. In its resolutions 1995/25, 1996/24, 1997/19, 1999/40 and 2000/44, the Commission drew the attention of the Working Group to the problem of the traffic in women and girl children.

38. At its twentieth session, and in accordance with paragraph 13 of Commission resolution 1995/27, the Working Group reviewed the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others in the light of comments received.

39. In its resolution 1995/16, the Sub-Commission transmitted to the Commission the revised draft programme of action for adoption. In its resolution 1996/61, the Commission on Human Rights approved the draft programme of action as contained in document E/CN.4/Sub.2/1995/28/Add.1, while noting differences between States in the scope of applicability of their criminal legislation with regard to, inter alia, prostitution and the production, distribution and possession of pornographic material.

40. In its resolutions 1996/12, 1997/22, 1998/19 and 1999/17, the Sub-Commission requested the Secretary-General to invite all States to report periodically on measures adopted to implement the Programme of Action and the effectiveness of such measures. As of 5 May 2000, no replies had been received.

41. The Working Group devoted its twenty-fourth session (1999) to the question of trafficking in women and girls. An NGO seminar was held prior to the session which submitted recommendations to the Working Group. The Working Group decided to devote priority attention again to the issue of trafficking in persons at its twenty-sixth session (2001).

42. In its resolution 1999/40, the Commission requested the Secretary-General to provide the Commission, at its fifty-sixth session, with a report on activities of United Nations bodies and other international organizations pertaining to the problem of trafficking in women and girls. In accordance with that request, the Commission had before it document E/CN.4/2000/66.

(ii) Sexual exploitation of children and activities of the Special Rapporteur on the sale of children, child prostitution and child pornography

43. Upon the recommendation of the Sub-Commission (resolution 1989/42), the Commission on Human Rights, in its resolution 1990/68, decided to appoint for a period of one year a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes. The Commission requested the Special Rapporteur to submit a comprehensive report to the Commission at its forty-seventh session on his activities relating to these matters, including the frequency and extent of such practices, as well as his conclusions and recommendations.

44. In its resolution 1991/53, the Commission on Human Rights welcomed the preliminary assessment by the Special Rapporteur of his tasks as contained in his report to the Commission on Human Rights at its forty-seventh session (E/CN.4/1991/51).

45. In its resolution 1991/54, the Commission requested the Special Rapporteur, on the basis of his experience, to consider the possibility of submitting his comments and suggestions to the Working Group on Contemporary Forms of Slavery, if possible by attending its meetings. The Sub-Commission, in its resolution 1991/34, requested the Special Rapporteur to pay increased attention to aspects relating to trafficking in children, especially trafficking with a view to organ transplantation, disappearances, the purchase and sale of children, child prostitution and participation by children in armed conflicts. This request was repeated in Sub-Commission resolution 1992/2. The Sub-Commission decided to transmit to the Special Rapporteur the information supplied to the Working Group on the above-mentioned subjects.

46. In its resolutions 1992/76, 1993/82 and 1994/92, the Commission on Human Rights welcomed the reports of the Special Rapporteur on the sale of children (E/CN.4/1992/55 and Add.1, E/CN.4/1993/67 and Add.1 and E/CN.4/1994/84 and Add.1) and endorsed his conclusions and recommendations concerning the strengthening of preventive strategies to tackle the root causes of the sale of children, child prostitution and child pornography.

47. In its resolution 48/156, the General Assembly expressed its support for the work of the Special Rapporteur of examining all over the world the question of the sale of children, child prostitution and child pornography and invited him to continue providing attention to the economic, social, legal and cultural factors affecting those phenomena. The Assembly requested

the Special Rapporteur to submit to it a provisional report at its forty-ninth session. In accordance with that request, the Special Rapporteur submitted his provisional report (A/49/478).

48. In its resolution 49/210, the General Assembly welcomed the provisional report and requested the Special Rapporteur to submit another provisional report at its fiftieth session.

49. In its resolution 1995/79, the Commission on Human Rights, having considered the report of the Special Rapporteur submitted to the General Assembly at its forty-ninth session, decided to renew the mandate of the newly appointed Special Rapporteur (Mrs. Ofelia Calcetas-Santos, Philippines) for a further three years and invited her, inter alia, to cooperate closely with the Working Group on Contemporary Forms of Slavery.

50. In its resolution 50/153, the General Assembly welcomed the provisional report submitted by the Special Rapporteur (A/50/456). In its resolution 1996/85, the Commission on Human Rights welcomed the report submitted by the Special Rapporteur (E/CN.4/1996/100) and requested her to submit an interim report to the General Assembly at its fifty-first session and a report to the Commission at its fifty-third session.

51. In its resolution 51/77, the General Assembly welcomed the report submitted by the Special Rapporteur as a follow-up to the World Congress Against Commercial Sexual Exploitation of Children (A/51/456).

52. In its resolution 1997/78, the Commission welcomed the report submitted by the Special Rapporteur (E/CN.4/1997/95). The Special Rapporteur undertook two visits, the first to the Czech Republic from 20 to 25 May 1996 and the second to the United States of America from 9 to 20 December 1996. The mission reports are contained in documents E/CN.4/1997/95/Add.1 and E/CN.4/1997/95/Add.2, respectively. The Commission also requested her to submit an interim report to the General Assembly at its fifty-second session and a report to the Commission at its fifty-fourth session.

53. In its resolution 52/101, the General Assembly welcomed the interim report submitted by the Special Rapporteur (A/52/482) and requested her to submit an interim report to the Assembly at its fifty-third session. In its resolution 1998/76, the Commission welcomed the report of the Special Rapporteur (E/CN.4/1998/101 and Add.1-2) and decided to renew her mandate for a further period of three years. The Special Rapporteur undertook two country visits, to Kenya and Mexico. The Commission also requested her to submit an interim report to the General Assembly at its fifty-third session and a report to the Commission at its fifty-fifth session.

54. In its resolution 53/128, the General Assembly welcomed the interim report of the Special Rapporteur (A/53/311, annex), which this year focused on the issues of sale and trafficking of children, for all purposes of commercial sexual exploitation or otherwise.

55. In its resolution 1999/80, the Commission on Human Rights welcomed the report of the Special Rapporteur (E/CN.4/1999/71). The Special Rapporteur undertook a country visit to Belgium, on the same occasion travelling to Amsterdam for two days. The report on the visit

will be available at the fifty-sixth session of the Commission. The Commission also requested her to submit an interim report to the General Assembly at its fifty-fourth session and a report to the Commission on Human Rights at its fifty-sixth session.

56. In its resolution 54/149, the General Assembly welcomed the interim report of the Special Rapporteur (A/54/311).

57. In its resolution 2000/85, the Commission welcomed the report of the Special Rapporteur (E/CN.4/2000/73 and Add.1-3). The Special Rapporteur undertook country visits to Guatemala and Fiji. She also undertook a visit to Morocco. The report of that visit will be available at the fifty-seventh session of the Commission. The Commission also requested her to submit an interim report to the General Assembly at its fifty-fifth session and a report to the Commission on Human Rights at its fifty-seventh session.

6. Other forms of exploitation

(a) Illegal activities of certain religious and other sects

58. At its twenty-second session, the Working Group decided to include this item on the provisional agenda for its twenty-third session. At its twenty-third and twenty-fourth sessions, the Working Group decided to continue to give consideration to this item at its next session.

(b) Illegal and pseudo-legal adoptions aimed at the exploitation of children

59. At its twentieth session, the Working Group decided to include this item in the provisional agenda for its twenty-first session. At its twenty-first, twenty-second, twenty-third and twenty-fourth sessions, the Working Group decided to continue to give consideration to this issue at its next session.

60. In its resolutions 1996/12, 1997/22 and 1999/17, the Sub-Commission urged States to take adequate steps to regulate and monitor intercountry adoptions better, in particular by ratifying the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

(c) Traffic in human organs and tissues

61. In its resolution 1987/32, the Sub-Commission drew the attention of the Commission on Human Rights to the recommendation of the Working Group on Contemporary Forms of Slavery that the report of the Secretary-General on the sale of children (E/CN.4/Sub.2/1987/28) be given a deeper and broader accent, including matters relating to organ transplant and the foetus trade.

62. These matters were briefly referred to in two further reports on the sale of children prepared by the Secretary-General (E/CN.4/1988/30, paras. 31 and 34; E/CN.4/Sub.2/1989/38, paras. 30, 31 and 34). More substantial study of the issue was undertaken by the Special Rapporteur of the Commission on Human Rights, Mr. V. Muntarbhorn, in his reports on the sale of children (E/CN.4/1991/51, paras. 23-25; E/CN.4/1992/55, paras. 102-108 and 311; E/CN.4/1992/55/Add.1, paras. 28, 29 and 44 (b); E/CN.4/1993/67, paras. 100-127;

E/CN.4/1994/84 and Add.1, paras. 100-113 and paras. 44-46 and A/49/478, paras. 84-98). The issue was also referred to by the Special Rapporteur on the sale of children, child prostitution and child pornography, Mrs. Ofelia Calcetas-Santos, in reports she submitted to the General Assembly (A/50/456, paras. 49-50) and to the Commission on Human Rights (E/CN.4/1996/100, paras. 41-48).

63. The Sub-Commission, at its forty-fourth session, requested the Secretary-General, in its resolution 1992/2, to invite all Governments, United Nations bodies, including the United Nations Children's Fund, the specialized agencies, in particular the World Health Organization, and all relevant non-governmental organizations, in particular the International Criminal Police Organization, to pursue their investigations of allegations involving the removal of organs from children and to indicate the measures taken, if any, to counteract that practice wherever it existed, with a view to presenting a report to the Working Group at its eighteenth session. This request was repeated in Sub-Commission resolutions 1993/5 and 1994/5 and the Secretary-General submitted reports to the Working Group at its nineteenth and twentieth sessions (E/CN.4/Sub.2/AC.2/1994/8 and E/CN.4/Sub.2/AC.2/1995/6, respectively).

64. The Sub-Commission repeated its request in resolution 1995/16. Consequently, the Secretary-General submitted a report (E/CN.4/Sub.2/AC.2/1996/4) to the Working Group at its twenty-first session. In the same resolution, the Sub-Commission recommended that the Commission designate an expert to investigate and prepare a study on allegations regarding the removal of organs and tissues of children and adults for commercial purposes.

65. In its resolution 1996/61, the Commission on Human Rights requested the Secretary-General to examine the reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes. In accordance with that resolution, a note by the Secretary-General was submitted to the Commission at its fifty-third session (E/CN.4/1997/78).

66. In its resolution 1997/20, the Commission on Human Rights requested the Secretary-General to continue the examination of the reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes and to include, in an updated report, an analysis of this question, to be submitted at its fifty-fifth session. In its resolution 1997/22, the Sub-Commission welcomed Commission resolution 1997/20.

67. In its resolution 1999/46, the Commission on Human Rights noted that the Secretary-General had not yet received any information about the reliability of allegations regarding the removal of organs and tissues of children and adults and, in order to enable the Commission to examine this question, it again requested the Secretary-General to seek information among relevant specialized agencies, working closely in particular with the Advisory Committee on Health Research of the World Health Organization and the International Criminal Police Organization, and to include an analysis of the information received in an updated report to be submitted to the Commission at its fifty-sixth session. In accordance with that resolution, a note by the Secretary-General, noting the absence of information, was submitted to the Commission at its fifty-sixth session (E/CN.4/2000/78).

(d) Activities of the Special Rapporteur on violence against women

68. In its resolution 1994/45, the Commission on Human Rights decided to appoint, for a three-year period, a special rapporteur on violence against women, including its causes and consequences. Subsequently, Ms. Radhika Coomaraswamy (Sri Lanka) was appointed Special Rapporteur.

69. The Special Rapporteur submitted her preliminary report to the Commission at its fifty-first session (E/CN.4/1995/42). In accordance with Commission resolution 1995/85, she submitted her first report (E/CN.4/1996/53 and Add.2) to the Commission. Ms. Coomaraswamy undertook a visit to the Democratic People's Republic of Korea, the Republic of Korea and Japan on the issue of military sexual slavery during wartime (E/CN.4/1996/53/Add.1).

70. In its resolution 1997/44, the Commission welcomed the reports submitted by the Special Rapporteur (E/CN.4/1997/47 and Add.1-4) and decided to renew the mandate for a further three years. The Special Rapporteur undertook three country visits, to Poland, Brazil and South Africa. In its resolution 1998/52, the Commission welcomed the reports submitted by the Special Rapporteur (E/CN.4/1998/54 and Add.1). The Special Rapporteur undertook one country visit, to Rwanda.

71. In its resolution 1999/42, the Commission welcomed the report of the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/1999/68 and Add.1-4). The Special Rapporteur undertook country visits to the United States of America, Liechtenstein, Indonesia and East Timor.

72. In its resolution 2000/45, the Commission welcomed the report of the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/2000/68/Add.1-5). The Special Rapporteur undertook country visits to Cuba, Haiti, Afghanistan and Pakistan. She also undertook a joint visit, with the Special Rapporteur on the question of torture and the Special Rapporteur on extrajudicial, summary or arbitrary executions, to East Timor.

(e) Paedophilia

73. At its twenty-second session, the Working Group decided to include this item on the provisional agenda for its twenty-third session. At its twenty-third and twenty-fourth sessions, the Working Group decided to continue consideration of this item.

(f) Miscellaneous

Early marriages

74. At its nineteenth, twentieth and twenty-first sessions, the Working Group took note of information provided on the issue of early marriages. At its twenty-second session, the Working Group decided to biennialize the consideration of this item.

Detained juveniles

75. Relevant Sub-Commission resolutions regarding the issue of "The application of international standards concerning the human rights of detained juveniles" are 1991/16 and 1994/9.

76. Relevant Commission on Human Rights resolutions regarding this issue are 1993/80, 1995/41, 1996/32 and decision 1997/106.

77. Documents submitted on the issue are E/CN.4/1995/100, E/CN.4/1996/31 and Add.1, E/CN.4/1997/26, E/CN.4/1998/35 and E/CN.4/Sub.2/1995/30 and Add.1.

78. In its resolution 1998/32, the Commission took note of the report of the Secretary-General (E/CN.4/1998/35) and requested him to submit a report to the Commission at its fifty-sixth session on practical measures for the implementation of the international standards in the field of human rights in the administration of justice, in particular juvenile justice, including on the role of technical assistance in this regard. It also decided to consider this item at its fifty-sixth session under the item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

79. In its resolutions 1999/80 and 2000/85, the Commission reaffirmed the need to ensure that every child alleged to have or recognized as having infringed the penal law was treated with dignity in accordance with the principles and relevant provisions of the Convention on the Rights of the Child and other relevant international human rights instruments, including the International Covenant on Civil and Political Rights, expressed deep concern, inter alia, about cases of children prosecuted without taking into account their special needs, kept in arbitrary detention, subjected to torture or cruel, inhuman or degrading treatment or punishment or subjected to punishment contrary to accepted international standards and, in that regard, called upon States to take all the necessary measures to protect children from those practices.

Slavery during wartime

80. In its resolution 1993/24, the Sub-Commission decided to entrust Ms. Linda Chavez as special rapporteur with the task of undertaking an in-depth study on the situation of systematic rape, sexual slavery and slavery-like practices during wartime, including internal armed conflict. The Commission on Human Rights, in its decision 1994/103 requested the Sub-Commission to reconsider its decision.

81. The Sub-Commission, in its decision 1994/109, decided to invite Ms. Chavez to submit, without financial implications, a working paper on the issue at its forty-seventh session. In accordance with that request, Ms. Chavez submitted a working paper on the situation of systematic rape, sexual slavery and slavery-like practices during wartime including internal armed conflict (E/CN.4/Sub.2/1995/38).

82. In its decision 1996/107, the Commission on Human Rights, at its fifty-second session, endorsed the decision of the Sub-Commission to appoint Ms. Chavez Special Rapporteur with the task of undertaking an in-depth study on the situation of systematic rape, sexual slavery and slavery-like practices during periods of armed conflict.

83. In its resolution 1996/11, the Sub-Commission welcomed the preliminary report submitted by the Special Rapporteur (E/CN.4/Sub.2/1996/26) and requested her to submit her final report to the Sub-Commission at its forty-ninth session in conformity with the plan contained in her working paper (E/CN.4/Sub.2/1995/38).

84. In its decision 1997/114, the Sub-Commission took note of the letter from Ms. Chavez in which she informed the High Commissioner of her resignation as Special Rapporteur and her inability to submit the final report, and decided to entrust Ms. Gay J. McDougall with the task of completing the study for submission to the Sub-Commission at its fiftieth session.

85. In its resolution 1998/18, the Sub-Commission, welcoming with great interest the final report of the Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict, including internal armed conflict (E/CN.4/Sub.2/1998/13), requested that the Special Rapporteur's mandate be extended for another year and that Ms. McDougall, as Special Rapporteur, submit an update on recent developments with respect to her mandate to the Sub-Commission at its fifty-first session under the agenda item entitled "Contemporary forms of slavery". In its decision 1999/105, the Commission approved the decision of the Sub-Commission to extend the mandate of the Special Rapporteur for a further year.

86. In its resolution 1999/16, the Sub-Commission requested the Special Rapporteur to submit to the Sub-Commission at its fifty-second session a report containing the updated information with a view to wide distribution. In accordance with that request, the Special Rapporteur will submit an updated report to the Sub-Commission at its fifty-second session.

Draft optional protocol on the sale of children, child prostitution and child pornography

87. The General Assembly, in its resolution 48/156, requested the Commission on Human Rights to consider, at its fiftieth session, the creation of a working group to study, as a matter of priority, the elaboration of guidelines, in close contact with the Special Rapporteur, for a possible draft optional protocol on the issues related to the sale of children, child prostitution and child pornography, as well as the basic measures required for preventing and eradicating those serious problems. Following this request, the Commission on Human Rights, in its resolution 1994/90, decided to set up an open-ended inter-sessional working group, which would meet for two weeks prior to the fifty-first session of the Commission, and to include that issue as a specific sub-item of the agenda item "Rights of the Child", entitled "Question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication". In its resolution 1994/9, the Economic and Social Council authorized the establishment of the working group.

88. In accordance with Commission resolutions 1994/90, 1995/78, 1996/85, 1997/78, 1998/76 and 1999/80, the working group held six sessions: from 14 to 25 November 1994, from 29 January to 9 February 1996, from 3 to 14 February 1997, from 19 to 30 January 1998, from 25 January to 5 February 1999 and from 24 January to 4 February 2000. The working group submitted reports on each session to the Commission (E/CN.4/1995/95, E/CN.4/1996/101, E/CN.4/1997/97, E/CN.4/1998/103, E/CN.4/1999/74, E/CN.4/2000/75).

89. The Commission, in its resolution 2000/59, adopted the text of the draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as contained in annex B to the resolution, and transmitted it, through the Economic and Social Council, to the General Assembly for approval.

Sex tourism

90. In its resolution 1992/2, the Sub-Commission requested the Secretary-General to convey to the World Tourism Organization the grave concern of the Working Group on Contemporary Forms of Slavery with regard to sex tourism, together with a request that it convene, as a matter of priority, a meeting to discuss the consequences of sex tourism and ways of preventing that phenomenon, in particular when the prostitution of children was involved.

91. In its resolution 1993/5, the Sub-Commission requested the Secretary-General to convey to the World Tourism Organization the Working Group's grave concern at the information received during its eighteenth session with regard to the persistence and the development of sex tourism.

92. In its resolution 1994/5, the Sub-Commission requested the Secretary-General to appeal to the World Tourism Organization to inscribe on the agenda for its next conference an item on sex tourism and its development. In its resolutions 1995/16, 1996/12 and 1997/22, the Sub-Commission recommended that Governments prohibit the advertising or publicizing of sex tourism and that they not facilitate other commercial activities involving sexual exploitation. In resolution 1995/16, it also welcomed the convening of the World Congress Against Commercial Sexual Exploitation of Children in 1996.

93. In its resolutions 1998/19 and 1999/17, the Sub-Commission recommended that Governments investigate and use as evidence of crimes and acts of discrimination advertising, correspondence and other communications over the Internet to promote sex trafficking, the exploitation of prostitution, sex tourism, bride trafficking and rape.

Child soldiers

94. In its resolutions 1989/41, 1990/30 and 1991/34, the Sub-Commission expressed its deep concern at the fact that in many regions of the world children were still taking part in hostilities and were being recruited into the armed forces, and that certain Governments and non-governmental entities encouraged and sometimes compelled children to take part in military training and participate in hostilities.

95. At its forty-second session, the Sub-Commission had before it the report on the recruitment of children into government and non-governmental armed forces (E/CN.4/Sub.2/1990/43 and Add.1 and 2) submitted by the Secretary-General in accordance with the request contained in Sub-Commission resolution 1989/41.

96. The Sub-Commission, in its resolution 1991/34, requested the Secretary-General to update his report on the recruitment of children into government and non-governmental armed forces on the basis of the information provided by Governments, the specialized agencies and intergovernmental and non-governmental organizations concerned and to submit it to the Sub-Commission at its forty-fourth session.

97. In its resolution 1992/2 the Sub-Commission, at its forty-fourth session, having examined the report of the Secretary-General (E/CN.4/Sub.2/1992/35 and Add.1), requested the Working Group to continue to give attention to that question at its eighteenth session. This request was repeated in resolution 1993/5 of the Sub-Commission.

98. The General Assembly, in its resolution 48/157, expressed its concern about the situation of the traffic of children in many parts of the world as a result of armed conflicts and urged all Member States to continue seeking comprehensive improvement of that situation, taking appropriate and concrete measures to alleviate it. The Assembly also requested bodies and organizations of the United Nations, as well as intergovernmental and non-governmental organizations, within the scope of their respective mandates, to cooperate in order to ensure more effective action in addressing the problem of the children affected by armed conflicts. Pursuant to the request contained in the same resolution, the Secretary-General submitted a report to the General Assembly at its forty-ninth session on concrete measures taken to alleviate the situation of children in armed conflicts (A/49/411).

99. In the same resolution, the General Assembly requested the Secretary-General to appoint an expert, working in collaboration with the Centre for Human Rights and the United Nations Children's Fund, to undertake a comprehensive study on the protection of children directly or indirectly participating in armed conflicts, as well as the relevance and adequacy of existing standards, and to make specific recommendations on ways and means to prevent children from being affected by armed conflicts, to improve and to ensure their protection, including against the indiscriminate use of all weapons of war, especially anti-personnel mines, and to promote their physical and psychological recovery and social reintegration, in particular measures to ensure proper medical care and adequate nutrition, taking into account the recommendations of the World Conference on Human Rights (A/CONF.157/23, part II, para. 50) and the Committee on the Rights of the Child (CRC/C/16). Following this request, the Secretary-General decided to appoint as an expert on that issue Ms. Graça Machel (Mozambique). The General Assembly further requested Member States, United Nations bodies and organizations, as well as other relevant intergovernmental and non-governmental organizations, including the Committee on the Rights of the Child, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the World Health Organization and the International Committee of the Red Cross, to contribute to the above-mentioned study. At the request of the Assembly, the Secretary-General submitted a progress report on the study at its forty-ninth session (A/49/643).

100 In its resolution 50/153, the General Assembly took note of the report of the Secretary-General on concrete measures taken to alleviate the situation of children in armed conflicts (A/50/672). It also expressed its support for the work of the expert designated to undertake a study on the situation of children affected by armed conflict.

101 In its resolution 51/77, the General Assembly welcomed the final report submitted by Ms. Machel on the impact of armed conflicts on children (A/51/306 and Add 1) and recommended that the Secretary-General appoint for a period of three years a special representative on the impact of armed conflicts on children.

102 In its resolution 52/107, the General Assembly welcomed the appointment of Mr. Olara Otunnu as the Special Representative of the Secretary-General for children in armed conflict.

103 In its resolution 54/149, the General Assembly welcomed the report of the Special Representative (A/54/430).

104 In its resolution 2000/85, the Commission welcomed the report of the Special Representative to the Commission (E/CN 4/2000/71). The Commission urged the Special Representative to continue to put pressure on those who involve children as soldiers in armed conflicts in breach of international standards.

105 The Commission, in its resolution 1994/91, recommended that the Economic and Social Council authorize an open-ended working group of the Commission on Human Rights to meet for a period of two weeks prior to the fifty-first session of the Commission in order to elaborate, as a matter of priority, a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts. The working group used as a basis for discussion the preliminary draft optional protocol on the involvement of children in armed conflicts prepared by the Committee on the Rights of the Child (E/CN 4/1994/91).

106 The working group held its first, second, third, fourth, fifth and sixth sessions from 31 October to 11 November 1994, from 15 to 26 January 1996, from 20 to 31 January 1997, from 2 to 13 February 1998, on 11 January 1999 and from 10 to 21 January 2000. It submitted its reports to the Commission on Human Rights at its fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth and fifty-sixth sessions (E/CN 4/1995/96, E/CN 4/1996/102, E/CN 4/1997/96, E/CN 4/1998/102, E/CN 4/1999/73, E/CN 4/2000/74).

107 In its resolution 2000/59, the Commission adopted the text of the draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflict contained in annex A to the resolution.

Organization of work

108 In its resolution 1991/34, the Sub-Commission requested the Secretary-General to examine the possibility of organizing the sessions of the Working Group on Contemporary Forms of Slavery for eight working days during the month of April or May, in order to avoid overlapping with meetings of other working groups of the Sub-Commission and the burden that

placed on the Secretariat, and in view of the impossibility of representatives of Governments and non-governmental organizations attending simultaneous sessions. This request was approved by the Commission on Human Rights in its decision 1992/115.

109. The Economic and Social Council, in its resolution 1993/48, approved the endorsement by the Commission on Human Rights in resolution 1993/27 of the recommendation made by the Sub-Commission, in its resolution 1992/2, that the arrangements regarding the organization of the session of the Working Group, as contained in Commission decision 1992/115, be repeated in subsequent years.

110. In its decision 2000/109, the Commission adopted the report of the inter-sessional open-ended Working Group on Enhancing the Effectiveness of the Mechanisms of the Commission on Human Rights (E/CN.4/2000/112) adopted by consensus by the Working Group on 11 February 2000. The Commission recommended to the Economic and Social Council for adoption draft decision 3, contained in that decision, which reads as follows: "The Economic and Social Council, taking note of Commission on Human Rights decision 2000/109 of 26 April 2000, endorses the Commission's decision to reduce the duration of the annual meeting of the Working Group on Contemporary Forms of Slavery of the Sub-Commission to five working days from the present eight days".

7. Activities of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

111. In its resolution 46/122 of 17 December 1991, the General Assembly decided to establish the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery. The purposes of the Fund are, first, to assist representatives of non-governmental organizations from different regions, dealing with issues of contemporary forms of slavery, to participate in the deliberations of the Working Group by providing them with financial assistance and, second, to extend, through established channels of assistance, humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of contemporary forms of slavery.

112. The Fund is administered in accordance with the Financial Regulations and Rules of the United Nations and other relevant provisions, with the advice of a Board of Trustees composed of five persons with relevant experience in the field of human rights and contemporary forms of slavery in particular, who serve in their personal capacity. The members of the Board of Trustees are appointed by the Secretary-General for a three-year renewable term, in consultation with the current Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights and with due regard to equitable geographical distribution.

113. The five members who have been appointed or reappointed by the Secretary-General, in consultation with the Chairman of the fiftieth session of the Sub-Commission, for terms lasting until 31 December 2001 are: Swami Agnivesh (India, Chairman), Mr. Cheikh Saad-Bouh Kamara (Mauritania), Mr. José de Souza Martins (Brazil), Ms. Tatiana Matveeva (Russian Federation) and Mr. Theo van Boven (Netherlands).

114. In its resolution 46/122, the General Assembly appealed to all Governments to respond favourably to requests for contributions to the Fund. A similar appeal was made by the

Commission on Human Rights in its resolutions 1992/46, 1994/24, 1995/27, 1996/61 and 1997/20 and by the Sub-Commission in its resolutions 1992/2, 1993/5, 1994/6, 1995/15, 1996/18, 1997/21, 1998/20 and 1999/18.

115. The Commission, in its resolutions 1992/46, 1993/26, 1994/24, 1995/27, 1996/61, 1997/20 and 1999/46, requested the Secretary-General to transmit to all Governments the appeal of the Commission for contributions to the Fund and to make use of all existing possibilities to assist the Board of Trustees of the Fund, inter alia through the preparation, production and dissemination of information material, in its efforts to make the Fund and its humanitarian work better known.

116. The Board of Trustees held its fifth session from 7 to 10 February 2000. During the session, the Board examined 43 new applications for travel grants for representatives of non-governmental organizations to participate in the twenty-fifth session of the Working Group on Contemporary Forms of Slavery amounting to approximately US$ 113,059 and 25 new applications for financial assistance for projects submitted by non-governmental organizations for the benefit of victims of contemporary forms of slavery amounting to approximately US$ 552,236. After having examined the applications in the light of established criteria, the Board recommended 17 travel grants for an amount of US$ 30,800 and 17 project grants for an amount of US$ 114,300. The recommendations have been approved by the High Commissioner for Human Rights on behalf of the Secretary-General. The recommendations adopted and updated information on the Fund are contained in document E/CN.4/2000/80/Add.1.

8. Adoption of the report of the Working Group to the Sub-Commission on the Promotion and Protection of Human Rights

117. Under rule 37 of the rules of procedure, the Working Group is to report to the Sub-Commission on the work of its session.

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Sub-Commission on the Promotion and
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Working Group on Contemporary
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Twenty-fifth session
14-23 June 2000
Item 4 (a) of the provisional agenda

REVIEW OF THE IMPLEMENTATION OF AND FOLLOW-UP TO THE CONVENTIONS ON SLAVERY

STATUS OF THE CONVENTIONS

Note by the Secretary-General

1. As at 8 May 2000, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery had been ratified or acceded to by the following 118 States: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Central African Republic, Chile, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica,

Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Yugoslavia, Zambia, Zimbabwe.

2. The Supplementary Convention had been signed by El Salvador, Liberia and Peru.

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Working Group on Contemporary Forms
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Twenty-fifth session, 14-23 June 2000
Item 4 (a) of the provisional agenda

REVIEW OF THE IMPLEMENTATION OF AND FOLLOW-UP TO THE CONVENTIONS ON SLAVERY

STATUS OF THE CONVENTIONS

Note by the Secretary-General

1. At 8 May 2000, the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others had been ratified or acceded to by the following 73 States: Afghanistan, Albania, Algeria, Argentina, Azerbaijan, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Djibouti, Ecuador, Egypt, Ethiopia, Finland, France, Guinea, Haiti, Honduras, Hungary, India, Iraq, Israel, Italy, Japan, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Libyan Arab Jamahiriya, Luxembourg, Malawi, Mali, Mauritania, Mexico, Morocco, Niger, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Syrian Arab Republic, The former Yugoslav Republic of Macedonia, Togo, Ukraine, Venezuela, Yemen, Yugoslavia, Zimbabwe.

2. The Convention had been signed by Denmark, Iran (Islamic Republic of), Liberia and Myanmar.

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Working Group on Contemporary Forms
of Slavery
Twenty-fifth session
14-23 June 2000
Items 5 and 6 of the provisional agenda

REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF SLAVERY

MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY FORMS OF SLAVERY, INCLUDING THE CONSIDERATION OF CORRUPTION AND INTERNATIONAL DEBT AS PROMOTING FACTORS OF CONTEMPORARY FORMS OF SLAVERY AND OTHER FORMS OF EXPLOITATION

Report of the Secretary-General

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Introduction

1. By their resolutions 1999/46 and 1999/17, the Commission on Human Rights and the Sub-Commission on the Promotion and Protection of Human Rights, respectively requested the Secretary-General to submit information on various issues relating to slavery.

2. Pursuant to these resolutions, the Secretary-General, on 7 February 2000, addressed requests to Governments and relevant intergovernmental and non-governmental organizations for information.

3. As of 15 May 2000, replies had been received from the Governments of Belarus, Mauritius, Mexico, Qatar and Slovakia.

4. Replies were also received from the Food and Agriculture Organization of the United Nations.

5. Comments were received from the Council of Europe, the International Monetary Fund, the Organization of American States and the Organization for Economic Cooperation and Development.

6. Information was also received from Anti-Slavery International.

7. The present report contains a summary of the substantive replies received.

I. INFORMATION RECEIVED FROM GOVERNMENTS

Belarus

[Original: Russian]
[19 April 2000]

In the Republic of Belarus the basic standards which establish and protect the legitimate rights and interests of children are defined in the Marriage and Family Code and the Rights of the Child Act.

Under articles 162-1, 163 and 164 of the Code of Administrative Offences, proceedings may be brought for engaging in prostitution, soliciting foreign nationals and distributing cassettes and disks containing unlawful video- and sound-recordings.

In the Criminal Code these issues are dealt with in chapter 8, article 115, paragraph 4, and articles 117-119, 123 and 124 (rape, sexual intercourse with a minor under the age of 16, depravity, sodomy, abduction or substitution of an infant, unlawful deprivation of liberty), and chapter 15, articles 205, 221, 223 and 223-1 (enticement of minors into criminal activity, brothel-keeping and procurement, manufacture or retail of pornographic items, manufacture or distribution of works that promote the cult of violence and cruelty).

The same issues are addressed by the Criminal Code of 9 July 1999, which is due to come into force in the second half of 2000, under chapter 17, article 128 (offences against the security of humanity), chapter 20, article 166, paragraph 3, article 167, paragraph 2, articles 168 and 169, article 170, paragraph 2, and article 171 (rape, sexual violence, sexual intercourse and other sexual relations with a minor under the age of 16, depravity, coercion to engage in sex acts, brothel-keeping, procurement and pimping), chapter 21, articles 172 and 173 (enticement of a minor into criminal activity, enticement of a minor into antisocial behaviour), and chapter 22, articles 181-183 and 187 (trafficking in human beings, abduction, unlawful deprivation of liberty, recruitment with a view to exploitation).

Mauritius

[Original: English]
[6 April 2000]

Actions

1. Mauritius has a National Action Plan to Combat the Commercial Sexual Exploitation of Children.* The Plan was prepared on the basis of:

(a) The recommendations of the World Congress against the Commercial Sexual Exploitation of Children held in August 1996;

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* Available from the secretariat.

(b) The recommendations of a national seminar held in June 1996 with the participation of NGOs and the ministries and departments concerned. NGOs dealing with children participated in formulating recommendations which have been incorporated in the Action Plan;

(c) A Study on the Commercial Sexual Exploitation of Children which was conducted with the assistance of UNICEF and WHO at the request of the Government. The study aimed at assessing the situation of child prostitution, the causes and the factors leading to child prostitution. It made recommendations, for action, based on its findings. The study involved consultations and interviews with victims and intermediaries. The findings of the study have provided valuable inputs for the preparation of the Action Plan.

2. The National Action Plan is being implemented with the participation of the following elements:

(a) A Steering Committee comprising representatives of the police, probation authorities, the Ministries of Social Security, Health and Education, NGOs and others has been constituted to ensure that there is a coordinated approach and that action is taken by each organization;

(b) A collaborative action with NGOs and community-based associations has been initiated. Meetings with the NGOs are held regularly and the main areas of action which have been identified are education and information, legal reforms, and intervention and support;

(c) A hotline has been set up and is managed by the National Children's Council (NCC), a statutory body grouping NGOs and relevant ministries. The NCC receives calls on the hotline and refers them to the police for action;

(d) An education and information campaign on unsafe sex was started in January 1999 and is being carried out by the NCC in collaboration with the Mauritius Family Planning Association. The campaign is directed at young people, mainly students;

(e) A national rally was held in September 1998 in one of the areas which is considered to be vulnerable to commercial sexual exploitation of children. NGOs and community-based associations participated fully in the rally;

(f) Door-to-door counselling was organized in one vulnerable region with the participation of 70 volunteers and NGOs;

(g) A Child Watch Network has been set up on a pilot basis for surveillance and early detection of children who are at risk. The Network is composed of Ministry staff, members of women's associations and community-based associations, social workers, teachers, counsellors, etc. The scheme aims to provide timely support to children and prevent their exploitation;

(h) Children's clubs have been set up, with priority in deprived areas, to provide children with opportunities for healthy and meaningful activities and protect them from exploitation and abuse;

(i) A scheme to provide training to school leavers who have no other possibilities of being admitted to a formal educational institution has been launched. The scheme offers training, education and creative and recreational activities and is flexible and non-formal. It aims at equipping the children with skills and enabling them to earn their living.

(j) Legal reforms have been brought about with the introduction of the Child Protection (Miscellaneous) Act, the Criminal Code (Amendment) Act and the Criminal Code Supplementary (Amendment) Act; 25 Acts were amended to ensure harmonization with the Convention on the Rights of the Child. The main amendments are:

(i) The law now punishes sexual abuse against boys (the previous law provided for sexual abuse against girls only);

(ii) The Dangerous Drugs Act has been amended to provide for fines and imprisonment of those who supply drugs to minors and mentally handicapped persons;

(iii) It provides for penalties for the offences of sexual abuse, sodomy, bestiality, debauchery, detention, sequestration or abandonment of a child, harbouring a minor without permission, dealing with obscene matter and keeping brothels;

(iv) A person who has sexual intercourse with a minor below 16 or a mentally handicapped person, even with the latter's consent, will be committing an offence and be liable to 10 years' imprisonment;

(k) Sexual harassment has been highlighted as the study conducted in 1998 indicated that many children are not aware of their rights, and are not informed about this matter.

3. Areas of priority are prevention, education and information. These areas have been selected as the study conducted in 1998 indicated that many children are not aware of their rights, and are not informed about sexual and reproductive rights and the health implications of unsafe sex. Further, existing legal provisions are not comprehensive enough to enable effective intervention in cases of child prostitution.

4. The prevention campaign includes the following:

(a) A national campaign on unsafe sex has been carried out in schools since January 1999;

(b) A painting competition on child abuse was held last year;

(c) Stickers, posters and pamphlets are being distributed;

(d) A booklet on the Convention on the Rights of the Child is being distributed;

(e) A booklet on the rights and responsibilities of children has been distributed;

(f) Education and sensitization campaigns on the Convention on the Rights of the Child are being conducted.

5 Problems/obstacles to progress are:

(a) Sensational treatment of the issue by the media, thus diverting attention from the main issues;

(b) Lack of prompt intervention by the police, which is empowered by the existing law to act in cases of alleged child prostitution;

(c) Legal provisions are inadequate and need to be strengthened;

(d) Skills and expertise to conduct training programmes are inadequate;

(e) Appropriate training (including audio-visual) material is unavailable;

(f) There are no structures to support and rehabilitate victims;

(g) There are no mechanisms to reintegrate victims into the education system;

(h) There are no institutions that receive and support pregnant adolescents;

(i) It is difficult to reach out to victims as they do not generally come forward to report cases;

(j) Police lack sensitivity towards child victims who have to testify;

(k) There are no appropriate health structures to deal specifically with sexual assault cases.

Mexico

[Original: Spanish]
[14 April 2000]

The commercial sexual exploitation of children

1 On 12 December 1998 the Chamber of Deputies approved the initiative of reforming the Penal Code of the Federal District for Ordinary Matters and for the Entire Republic for Federal Matters, with a view to classifying child pornography as an offence and sanctioning child prostitution more severely. The decree whereby the Federal Penal Code and the Federal Code of Criminal Procedure were amended and provisions added concerning the corruption of minors and incompetent persons, child pornography and the sexual prostitution of minors was published on 4 January 2000 in the Diario Oficial of the Federation.

2 Some bodies have made progress in this respect, such as the reform promoted by the Assembly of Representatives of the Federal District, while in the State of Campeche, an initiative was prepared for amendments to the State Penal Code with a view to classifying child pornography as an offence

3 In 1998 the Government of Mexico established an Inter-Agency National Commission to draw up a Plan of Action to Prevent, Address and Eradicate the Commercial Sexual Exploitation of Children, headed by the National System for the Integral Development of the Family (DIF) The Plan of Action is an inter-agency endeavour along with non-governmental organizations to adopt efficient means of eradicating the commercial sexual exploitation of children in Mexico

4 The Commission's aim is to unite efforts, resources, capabilities and experience in the sectors taking part in order to develop the following aspects of its work 1 Gauging the magnitude of the problem, 2 Protection, 3 Recovery and reintegration, 4 Creation of awareness, 5 Training, 6 Prevention, and 7 Participation of children and young people With this as the basis, the intention is

(a) As regards gauging the magnitude of the problem, to concentrate on the classification and quantification of the problem and the exchange of information,

(b) As regards protection, to standardize the classification of the sexual commercial exploitation of children as a serious offence, to seek to increase penalties at the federal and state levels, to promote international cooperation in administrative and judicial matters, and to incorporate the offence in the Organized Crime Act,

(c) As regards recovery and reintegration, to create a specialized infrastructure for the rehabilitation of child victims and augment the number of care and reporting centres,

(d) As regards creation of awareness, to carry out publicity campaigns targeting society in general, tourists, public security personnel and public and private officials directly involved in dealing with these problems and information and communication campaigns with a thematic content,

(e) As regards training, to give courses on the subject to public and private officials, parents, children and young people,

(f) As regards prevention, to develop response models, to monitor and supervise meeting points, to apply the law to paedophiles and those who exploit children and to prepare educational materials for children,

(g) As regards the participation of children and young people, to provide training courses for parents, schoolteachers, children and young people, for public security bodies, magistrates and government officials, and for public officials in public and private aid institutions

5. The Office of the Procurator-General and DIF signed a collaboration agreement to promote the establishment of agencies specializing in children's affairs. Under this agreement training courses have been organized for personnel of the Public Prosecutor's Office and the judicial police with a view to promoting awareness and efficiency in the work of public officials responsible for the administration and obtaining of justice, who are involved in dealing with child victims.

6. As a result of the inter-agency commitment, the number of specialized agencies in Mexico has been increased and there are now 20.

7. With a view to identifying the magnitude of the child prostitution phenomenon and under the auspices of the Inter-American Children's Institute, DIF backed the non-governmental organization Espacios para el Desarrollo Integral, A.C. (EDIAC) in carrying out a field survey of commercial sexual exploitation in Mexico, the results of which were announced in April 1999.

8. At the present time, the DIF is making a study of child victims of commercial sexual exploitation in the Republic of Mexico, in principle in the cities of Guadalajara, Acapulco, Cancún, Tapachula, Tijuana and Ciudad Juárez, in order to ascertain how the gangs recruit and operate.

9. In accordance with the guidelines of the World Tourism Organization and the International Federation of Women in Travel Agencies, the Ministry of Tourism drew up a brochure to explain to foreign tourists that sexual tourism is prohibited in Mexico.

Children and young people at risk

10. Through its programme for children and young people at risk (PAMAR), DIF seeks to maintain the link between street children and their families, now that a wide-ranging study has produced evidence that some 98 per cent of such children do have a family relationship, although in many cases their family has various types of problems.

11. As regards children at risk, including the exploitation of child labour and sexual exploitation, the National Human Rights Commission (CNDH) is conducting training activities for persons promoting the protection of children's rights and the dissemination and promotion of their rights on the basis of the Convention on the Rights of the Child, as well as training for the personnel of government institutions, local human rights commissions and professionals in general engaged in activities concerning children and their rights.

12. CNDH has continued to distribute brochures and videos on the rights of the child, both to offset the phenomenon of risk and to contribute to the protection and respect of the rights of all Mexican children in a situation of vulnerability or risk, thus helping to overcome various forms of discrimination and violence which may concern them and to modify cultural patterns which constitute a violation of the rights of the child and above all create a human rights culture in which their integrity and dignity as individuals are respected.

Adoption

13. In May 1998, reforms on adoption were incorporated into Mexico's legislation in order to establish the legal institutions of full adoption and international adoption. A supplement was added to the Civil Code on Ordinary Matters for the Federal District and on Federal Matters for the Entire Republic, a further 17 states of the Republic of Mexico have introduced reforms into their civil codes and codes of civil procedure with the aim of incorporating these institutions.

14. International adoption is a means of collaborating to combat traffic in children and also of implementing the constitutional mandate arising from Mexico's signing of The Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

15. The Ministry of Foreign Affairs has concluded coordination agreements with the state governments on adoptions, maintenance and the return of children through the Interior Ministry of each state, the state DIFs and the state procurator-general's offices.

Transnational organized crime

16. The aim of the international community is to have a general legal framework available to reinforce national legislation as regards, inter alia, traffic in persons, especially women and children. Mexico has given high priority here to the protection of the victim and his rights vis-à-vis organized transnational crime, by taking an active share in drawing up a draft protocol to prevent and combat international trafficking in persons, especially women and children.

17. With this in mind, Ms. Rosario Green, along with the women ministers of foreign affairs of nine countries, sent a note to Secretary-General Kofi Annan, in which the ministers reassert the support of their governments for combating trafficking in human beings, predominantly women and children and set out the commitment of their governments to eradicating the sale and purchase of human beings everywhere in the world, to prevent them from being placed in situations of sexual exploitation, domestic servitude and debt bondage which are nothing short of slavery. Lastly, they call jointly for the finalization and immediate implementation of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, and reiterate their commitment and that of their Governments to doing everything in their power to achieve that aim.

Migrant workers

18. On 9 March 1999, the Government of Mexico ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted in New York on 18 December 1990.

19. Measures have also been taken to guarantee the protection of migrants in transit through Mexico, irrespective of their nationality or of their migrant status.

20. Mention may be made of the establishment of the Beta Groups, to protect the persons and property of migrants, irrespective of their nationality and their migrant status, by action to restrain and prevent the aggression and abuse to which they are subjected by criminals or improper acts of the authorities.

21. Such groups have proved to be effective in crime prevention in areas of intensive migrant transit, and in the protection of their human rights and property. The groups have been thanked by the communities in which they operate, the local authorities and the migrants themselves.

22. Mexico's Consulates in the United States have moreover increased their efforts in respect of protection, by concentrating on a better distribution of resources, the training of consular officials and the constant improvement of consular procedures and services both to Mexicans and foreigners.

Repatriated children

23. In the framework of the National Programme of Action for Children, under the section on children in especially difficult circumstances, attention is given to repatriated children; the safe and orderly repatriation of the young trans-border migrant is ensured and his rights, his physical and emotional integrity and his reintegration into his family and community guaranteed.

24. Local commissions have been set up in eight major frontier cities: Tijuana (B.C.), Ciudad Acuña and Piedras Negras (Coahuila), Ciudad Juárez (Chihuahua), Agua Prieta and Nogales (Sonora), Reynosa and Matamoros (Tamaulipas).

25. A network of 18 hostels has been formed to care for the children, 11 of which belong to the municipal DIFs and 7 to civil-society organizations.

26. In 1998, these hostels cared for 8,560 repatriated children.

Qatar

[Original: Arabic]
[7 March 2000]

1. No disputes pertaining to discrimination and minorities have come to the attention of the competent authorities in the State of Qatar. There have also been no reports of trafficking in persons, of exploitation of the prostitution of others, or of offences relating to the sale of children, child prostitution or the use of children in the production of pornographic material.

2. The various contemporary forms of slavery mentioned in the report are virtually non-existent in the State of Qatar. Furthermore, the amended provisional Constitution promulgated in 1972 and the legislation in force in the State are designed to protect the individual and society from exploitation and inhumane practices. The Penal Code and the Shari'a prohibit all forms of slavery as well as trafficking in women, prostitution and the like, since this legislation is based on the official State religion, Islam, which prohibits exploitation of

the individual, prostitution, trafficking in women and other forms of immorality as well as activities that infringe the norms of decency and justice. Article 7 of the amended provisional Constitution of the State, promulgated on 19 April 1972, lays down the following social principles:

(a) The State shall strive to consolidate sound Islamic religious principles in society and to purge it of all forms of moral turpitude;

(b) The State shall look after young people, preserving them from influences conducive to corruption, protecting them from exploitation and safeguarding them from the evils of physical and spiritual neglect;

(c) Article 204 of Section 22 (Sexual and moral offences) of Act No. 14 of 1971 promulgating the Penal Code of Qatar addresses the matter as follows: "Anyone who establishes, operates or assists in the establishment or operation of a house of prostitution, or, in his capacity as the owner or the agent of the owner of a house, leases the said house in the knowledge that it will be used as a house of prostitution, or if he has reason to believe that it will be used as such, or if he subsequently comes to know that it is being used in that manner and fails to notify the competent authority, shall be punished by imprisonment for a term of up to two years and/or a fine not exceeding 2,000 riyals".

The State is constantly amending the existing legislation to provide for the prosecution of offenders who undermine the fabric of society. Its competent agencies also monitor the application and implementation of this legislation.

3. From the foregoing it is evident that the amended provisional Constitution promulgated in 1972 and the legislation in force in a variety of fields, i.e. the legislation emanating from the State religion and the Islamic Shari'a, ensure that society is well protected from the dangers posed by the contemporary forms of slavery mentioned in the report, such as prostitution, trafficking in women and other phenomena.

4. With regard to misuse of the Internet for purposes of sexual exploitation and the need to implement existing legislation or enact new laws to prevent such misuse, the points made in the report in that regard are extremely pertinent at the present time. In our view, although the Internet plays a highly beneficial role in the modern world, some provision must be made by the international community and international organizations for monitoring and control to ensure that it is not misused. It should be noted that the State of Qatar has not yet experienced such undesirable phenomena.

Slovakia

[Original: English]
[15 April 2000]

1. The Slovak Republic has taken internal measures to protect persons, particularly children and women, and to prevent trafficking of these persons and their abuse for the purposes of prostitution or other forms of sexual exploitation.

Constitutional and legislative framework

2. The Constitution of the Slovak Republic, as the State's fundamental law, defines the rights to inviolability of the person and his/her privacy; preservation of human dignity, personal honour and one's good name, protection from forced labour, protection against unwarranted interference into one's private and family life. Intervention into the above constitutionally guaranteed rights is punished under the following provisions of the Slovak Republic's Criminal Code:

(a) Generally dangerous criminal acts:

- Section 204 compelling prostitution. Under the Criminal Code of the Slovak Republic, this is understood to be an act through which the offender inveigles, causes or entices another to commit prostitution, or through which he profits from prostitution committed by another. Circumstances causing an increase in the basic level of punishment are the use of violence, threat of violence or other serious injury, or the abuse of someone's helplessness or addiction. Equally, if, through this act, the offender makes a substantial profit, or if he commits such an offence as a member of an organized group, or against a person younger than 18, or commits such an offence abroad, these circumstances increase the punishment. A circumstance that particularly increases the punishment is the commitment of such an offence against a person younger than 15 or in affiliation with an international organized group;

- Section 205 and section 205a endangering morality. This criminal act is related to offering, ceding, or making available pornographic materials at places accessible to persons younger than 18. The criminal act specified under section 205a is related to the production or release into circulation of pornographic materials displaying disrespect for mankind or violence, or depicting sexually depraved practices;

- Section 205b production of child pornography. A person commits this criminal act if he exploits a child for the production of child pornography, or enables the exploitation thereof or otherwise participates in the production thereof. A circumstance especially increasing the punishment is the commitment of such act on a child younger than 12;

- Section 205c distribution of child pornography. Under these provisions, offenders who distribute child pornography are punished. Reasons for the application of a stricter punishment may include the commitment of such an act through print, film, radio, television, through the use of a computer network or other similarly effective means, or against a person younger than 18;

- Sections 208a and 209b unwarranted removal of organs and tissues. Under these provisions, the unwarranted removal of organs and tissue from a living or deceased person is punished. A stricter punishment may be applied if such an act results in serious injury to health or death. Persons obtaining organs or tissue for themselves or another person are punished equally,

(b) Criminal acts against human dignity:

- Section 241 rape. Under these provisions, an action within which the offender, using violence or the threat of imminent violence, forces a woman to have sexual intercourse, or abuses her inability to defend herself to commit such an act, is punished. Increased punishment is applied if such an act is committed against a person younger than 15 or if such an action results in death;

- Section 242 sexual abuse. This provision is aimed at protecting the undisturbed moral and physical development of minors (i.e. persons under 15) and at the same time provides protection to any other person put into another's care against the abuse of his dependency;

- Section 246 traffic of women. This offence was incorporated into Slovak criminal law in line with international commitments assumed. It is based on protection against the enticing, hiring or transporting of a woman abroad with the intention of using her for the performance of sexual intercourse with other persons. The level of punishment can be increased if the offender commits such an act as a member of an organized group, against a person younger than 18, or if he commits such an act with the intention of using the woman for prostitution;

- Section 216a trade in children. Under these provisions, offenders who for a reward entrust a child to another's care for the purpose of adoption, child labour or other purpose are punished. The criminal law provisions on this offence are based on provisions of the Convention on the Rights of the Child;

- Section 217a illegal employment of children. In the case of this offence, the subject of punishment is the illegal employment of a child younger than 15 who is thereby prevented from obligatory school attendance,

(c) Criminal acts related to contemporary forms of slavery:

- Section 215 tyranny of a relative or dependant;

- Section 216 abduction;

- Section 217 endangering the moral development of youth;

- Section 219 murder. This offence was extended to include the qualification "of pregnant women" under which the murder of a pregnant woman constitutes a reason for the application of a stricter level of punishment.

3. The Slovak Republic is also committed by a number of international treaties related to the prevention of contemporary forms of slavery, e.g. the International Convention for the Suppression of the Traffic in Women and Children, International Convention for the

Suppression, of the Traffic in Women of Full Age, International Agreement for the Suppression of Obscene Publication, International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, Slavery Convention, etc.

Studies regarding the abuse and neglect of children in the family and subsequent prostitution

4. For the school year 1999/2000, the Police Force Presidium, in cooperation with the education sector, prepared a project in selected districts under the title "Behave Normally", which comprises 10 modules, including one entitled "Violence".

5. The Biological and Social Communication Research Department at the Academy of Sciences, which publishes the results of its research, has long been concerned with sexual behavioural problems.

Bodies and organizations concerned with the problems of violence and neglect in the family

6. Pursuant to Social Assistance Act No. 195/1998 Coll., the issue of violence and child neglect in the family falls under the competence of district and regional administration, as State social aid bodies, and municipalities. Cases of violence and child neglect in the family are usually brought to the attention of district administration and municipalities on the basis of notification by other entities (schools, healthcare establishments, citizens, the police, etc.), as well as by the investigative activities of individual district offices and municipalities.

7. A number of governmental and non-governmental organizations (the Children's Fund, Slovak Committee for UNICEF, Centre for the International Legal Protection of Children and Youth, Open Society Foundation, etc.) are concerned with this issue in Slovakia.

8. Upon the initiative of Criminal Police Office employees, Governmental Resolution No. 216/1997 of 25 March 1997 on a Proposal of Measures in the Area of the Fight against Child Pornography and the Sexual Abuse of Women and Children was elaborated and adopted by the Government. At the same time, tasks for all the ministries which are to a certain extent involved in the issue were adopted through the Resolution. The Police Force is the main body concerned with the fight against these negative phenomena. In 1997 Police Force Presidium Order No. 28/1997 was issued, which laid down the system for the Police Force's work in the area of crime committed by and against minors. On the basis of this Order, criminal police employees were appointed to address the given issue. A proposal for the establishment of specialized offices for the area of crime committed by and against minors is currently being elaborated. In view of the fact that the tasks arising from the Measures against Child Pornography and the Sexual Abuse of Women and Children have been fulfilled, the sectors concerned presented a proposal for their abolishment by mutual agreement in 1999. The Comprehensive Programme for the Fight against Crime, consisting of concrete tasks which, inter alia, place particular emphasis on child pornography and traffic in women and children, was subsequently adopted through Governmental Resolution No. 438/99 of 9 June 1999.

9. In the Police Force, the issue of child neglect and violence against children in families is addressed by the Department of Violent Crime at the Criminal Police Office (monitoring of the

situation, investigation of crimes) and the investigation section of the Police Force, where Police Force investigators from investigation offices are obliged to file reports (from schools, healthcare establishments, citizens, the police, etc.) of evidence indicating that a criminal act has been committed and process these reports as quickly as possible pursuant to section 158 of the Criminal Code. Investigators specializing in the investigation of crimes committed by and against minors have also been appointed at investigation offices of the Police Force.

10. Linka detskej istoty (LDI - children's safety line) assisted in the collection of statistical data on the abuse of children. Information gained in this way serves, inter alia, as a basis for resolving situations where a child's life or health is seriously endangered in its present environment until the court reaches a decision. The placement of a child in substitute care is, however, seen as a last resort. Educational activities, including the improvement of a couple's relationship, are more appropriate means when the child's upbringing is seriously endangered or disturbed. Certain educational measures (caution, supervision, restraint) may be applied in cases where parents or other persons endanger or disturb children's normal development or seriously violate their obligations, above all by failing to create appropriate conditions for a child's development.

11. LDI is a national project of the Slovak Committee for UNICEF which was set up on 26 January 1999. It is the first specialized telephone helpline for children and young people in Slovakia. It operates on a 24-hour basis, including weekends and holidays, and is free and anonymous. The main purpose of establishing the helpline was to offer children needing to communicate immediate telephone contact with qualified experts.

12. On the basis of practical experience, a social and legal advisory centre was established at LDI, to which both children and adults (parents, relatives or other persons affected by a problem) can regularly turn. The advisory centre is open twice a week. Its employees offer clients relevant information in the area of children's rights, family, labour and criminal law, and the social security law. Direct contact with an adviser can be arranged by telephone.

13. Since 1 March 1999 - as yet only in the Bratislava region - LDI has offered further services by establishing a crisis centre and offering immediate crisis intervention. This has provided the possibility of securing the necessary level of protection, safety and expert treatment for children at all times. Children can turn to the crisis centre by contacting LDI on its widely known number 0820 112 112.

14. LDI also directly participates in the solution of concrete cases which are reported by children themselves or other persons on their behalf. Callers are able to talk about bad experiences and receive continuous support and information on what they can do in their given situation, alone or with the help of someone close to them, and where they can turn to resolve the situation on a legal level. The child affected, or another person on its behalf, can also directly contact the crisis centre of the Slovak Committee for UNICEF. This organization works on both a preventive and an educational level, particularly by informing children of their rights, of what contravenes their rights, and how to avoid or stop undesired situations.

15. With the aim of presenting and exchanging expert know-how and practical experiences, LDI employees regularly participate at expert forums on a given issue, such as the "Child in Danger" conferences organized by the Children's Fund of the Slovak Republic, "Child Tyranny, Abuse and Neglect" seminars organized by the Open Society Foundation, etc.

National, regional and international initiatives adopted with the aim of reducing the occurrence of violence and neglect in the family

16. On 5 November 1996, the Government of the Slovak Republic adopted the "Proposal of Measures in the Area of the Fight against Child Pornography and the Sexual Abuse of Children" through Resolution No. 747/1996. Within the framework of the proposal, it is necessary to secure the following at primary schools:

(a) In cooperation with district offices' education and culture departments, the organization of methodical inputs, in the framework of parents' associations, in the form of expert-led lectures and debates on ways to increase the safety of children and young people and protect children from possible abuse;

(b) In the education process, in the framework of the implementation of sexual education, students should be warned in an appropriate way of the danger of sexual and other abuse and informed about effective methods of protection and safe behaviour;

(c) In the framework of physical education, lessons should make use of the opportunity provided by the subject "Sporting Techniques and Self-Defence" to learn and practise basic sequences of defence techniques, including defensive grasps, and simultaneously learn to provide mutual assistance;

(d) Member of the Police Force should be invited to debates with the aim of informing students and parents seen to be at high risk of becoming involved in sexual abuse about possibilities for effective protection and defence, taking into account the morality, ethics and suitability of such protection;

(e) In the form of lectures and discussions, students should be taught the negative impacts of bullying and physical and psychological tyranny, how they can defend themselves effectively against these negative phenomena; the cooperation of the educational psychology advisory centre should be sought;

(f) Appropriate methods of preventing the abuse of children and minors, taking into account the specific needs of primary school pupils, should be used.

17. The Ministry of Labour, Social Affairs and Family is preparing a number of conceptual and legislative measures in the period until 2001.

Activities aimed at the prevention of the abuse of women: National Action Plan for Women

18. The National Action Plan for Women was elaborated using the conclusions of the Fourth World Conference on Women in Beijing as a basic programming document. The Plan

was elaborated by the Coordination Committee for Women's Issues and adopted by the Government in September 1997. One of the NAP's priorities is the issue of violence against women. A separate chapter (VI), under the title "Create Conditions for the Elimination of Violence against Women", is dedicated to this question. With the aim of solving the problems outlined, the following measures were adopted:

1. Create legislative and preventive measures for the elimination of violence against women.

2. Support the creation of establishments for women who have become victims of violence, or establishments for women and children in the period of separation, coping with difficult situations, and so on.

3. Secure by legislation that crimes against family members can be prosecuted by law without requiring the agreement of the victim of abuse or rape.

4. Elaborate programmes to change the behaviour of aggressors and where possible return those whose behaviour and relations with other family members substantially improve to the family.

5. Elaborate educational programmes focused on changing the behaviour of aggressors with the aim of securing their return to the family.

6. Create conditions for the establishment of an SOS line for victims of violence or secure retraining for employees of existing helplines in this area.

7. Join programmes whose goal is the elimination of prostitution and traffic in women.

19. With the aim of strengthening the position of women in society and securing the protection of their rights, an Equal Opportunities Department was set up at the Ministry of Labour, Social Affairs and Family. The issue of the abuse of women, under which the issues of the sexual abuse of women, traffic in women and forced prostitution also fall, is one of the Department's concerns. The Expert Group for the Prevention of Violence Committed against Women and in Families of the Council of the Government for Crime Prevention, which is preparing a national strategy for the elimination of violence committed against women and in families, has a similar focus.

Conclusion

20. The issue of the prevention of the abuse of children and women and any other contemporary form of slavery receives close attention in the Slovak Republic, both in the area of the adoption of related legislation and the field of the adoption of concrete measures. The tasks arising for individual authorities and organizations in the area of the fight against these negative phenomena correspond to the commitments assumed by the Slovak Republic when joining the relevant international documents.

II. INFORMATION RECEIVED FROM UNITED NATIONS SPECIALIZED AGENCIES

Food and Agriculture Organization of the United Nations

[Original: English]
[15 April 2000]

1. The question of debt bondage in rural areas is of particular relevance for FAO, which believes that the inability to hold full land-tenure rights can be an indicator of some form of servile status, and therefore a contemporary form of slavery. Unfortunately, much of the available information is anecdotal, reflecting de facto local situations in many countries which persists despite attempts at eradication and prohibition through legislation.

2. FAO has a mandate to record malfunctioning land tenure systems, while ILO is its mandated partner in documenting the human condition resulting from such relationships. The FAO Land Tenure Service stands ready to continue work on this issue.

III. INFORMATION RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS

1. The Organization for Economic Cooperation and Development noted that slavery is not covered by its activities; it therefore, had no information to provide.

2. The International Monetary Fund has no information relevant to debt bondage.

3. The Organization of American States submitted a report on the situation of human rights in the Dominican Republic. The report is available with the secretariat for consultation.

Council of Europe

[Original: English]
[27 April 2000]

The Council of Europe is very concerned about the issue of contemporary forms of slavery, particularly with regard to women migrants and the trafficking in human beings for the purpose of sexual exploitation. It has transmitted the following documents, which are available for consultation with the secretariat:

Good and bad practices regarding the image of women in the media, the case of trafficking in human beings for the purpose of sexual exploitation;

Action against traffic in human beings for the purpose of sexual exploitation: the role of NGOs;

Prevention of the risks of trafficking in human beings for the purpose of sexual exploitation: actions organized in Albania for Kosovar refugees;

Parliamentary Assembly Recommendation 1325 (1997), on traffic in women and forced prostitution in Council of Europe member States.

IV. INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

Anti-Slavery International

1. Anti-Slavery International has submitted for the Working Group's attention a summary of a report concerning traffic in children between Benin and Gabon, as well as a document on debt bondage; these are available from the secretariat.

2. Anti-Slavery International is campaigning to draw attention to the continuing prevalence of bonded labour. As part of the campaign, the organization has been informing both decision makers and the general public about this serious human rights violation and encouraging them to show their support by signing postcards. These postcards urge the Office of the High Commissioner for Human Rights to:

Draw attention to the plight of bonded labourers and made the eradication of bonded labour a priority;

Take measures to strengthen the capacity of the United Nations to identify and deal with issues related to slavery, such as the creation of a United Nations Special Rapporteur on slavery;

Work with the ILO and other sectors of the United Nations to identify specific methods for eliminating bonded labour throughout the world.

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Sub-Commission on the Promotion
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Working Group on Contemporary
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14-23 June 2000
Items 5 and 6 of the provisional agenda

REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF SLAVERY MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY FORMS OF SLAVERY, INCLUDING THE CONSIDERATION OF CORRUPTION AND INTERNATIONAL DEBT AS PROMOTING FACTORS OF CONTEMPORARY FORMS OF SLAVERY AND OTHER FORMS OF EXPLOITATION

Report of the Secretary-General

Addendum

This report contains additional information submitted by the Governments of Haiti and the United Arab Emirates, as well as information submitted by Pax Christi International

GE.00-13840 (E)

I. INFORMATION RECEIVED FROM GOVERNMENTS

Haiti

[Original: French]
[2 November 1999]

1. Since the restoration in Haiti of an era of social freedom and the return to democratic and constitutional rule, the Haitian State has striven to give priority to justice and to strengthen all institutions working to combat every form of inequality. Taking into account the change in mentalities and the growing importance accorded to protection of the rights of the child worldwide, the Haitian Government has fought to ensure that, in all sectors of national life, the rights of working children are respected and their interests defended, in accordance with current national legislation and the international agreements and conventions in force.

A. Nature and scale of child employment

2. From the outset it must be made clear that, by tradition, a child workforce in the structured sector is practically non-existent in Haiti. Employment of children is to be found in particular in the following sectors:

(a) Children in domestic service, called restavèk (rester avec = stay with);

(b) Children employed in the informal sector;

(c) Children working in agriculture.

3. The phenomenon of restavèk, a heritage of the colonial era, stems from an essentially economic problem and operates in Haiti in the following way: parents living in rural areas and without adequate financial resources to provide for the survival, well-being and education of their children place them in domestic service with persons residing in towns on condition that they provide for their education. According to a UNICEF survey conducted in 1997, there are in Haiti nearly 250,000 children living as domestic workers, 10 per cent aged between 7 and 10 years.

4. As regards the informal sector, one often meets in the streets little itinerant vendors selling local produce the profits from which go to them or to a third party.

5. In agriculture those concerned are children who, in the majority of cases, help their parents at harvest and crop-gathering time.

B. Administrative framework for protection

6. Though in Haiti the extent of utilization of child labour is insignificant in the structured formal sector, the Haitian Labour Code includes a chapter entitled "Employment of minors" that contains provisions fully complying with international labour standards in that field. Thus Haitian minors wishing to enter the labour market must meet the following legal requirements:

(a) To have reached the minimum legal age, set at 15 years;

(b) To produce a medical certificate of fitness for employment;

(c) To obtain an employment permit from the Directorate of Labour of the Ministry for Social Affairs.

7. In addition they are forbidden, again according to the aforesaid Code, to do night work or be employed in hard or heavy labour or work endangering their physical and mental health or morals.

8. Preventive care for minors at work is the responsibility of the Ministry of Social Affairs, whose organizational law provides for an inspection team in the Women's and Children's Department. It must also be noted, however, that monitoring of the implementation of the provisions governing domestic employment of children is carried out by the Institute of Social Welfare and Research, which is a decentralized body of the Ministry of Social Affairs.

C. Government initiatives

9. Government efforts to combat aggravation of the phenomenon concentrate on two areas:

1. Revision of the legislation

10. Domestic service in Haiti is at present governed by articles 409 to 450 of the chapter in the Labour Code entitled "Children employed in service". The contents of the chapter reflect two main ideas: firstly, protection of children in service, and secondly the ban placed on employment of minors under 12 years of age by a substitute family for domestic work beyond their strength.

11. Like the Rural Code, the Penal Code makes no mention of the penalties applied for abuses committed against children in domestic service. In 1997, therefore, to remedy certain deficiencies in the legislation in force and on the initiative of the Parliamentary Commission on the Rights of the Child, a number of meetings took place with all the sectors concerned with the problem with a view to drawing up a new Children's Code in which the inclusion of provisions concerning children in domestic service was proposed in the section dealing with the replacement family.

2. Ratification of the Convention on the Rights of the Child and Implementation of the International Programme for the Abolition of Child Labour (IPEC)

12. On 29 December 1994 the Haitian Parliament ratified the Convention on the Rights of the Child. In 1997 the Ministry of Social Affairs, with UNICEF and the non-governmental bodies, began drafting the final report on the monitoring of the implementation of that Convention, for submission to the Committee on the Rights of the Child. In addition, the Ministry of Social Affairs requested assistance from the International Labour Organization (ILO) for the implementation of an IPEC programme in Haiti, with the aim of strengthening the protection of children against all forms of dangerous work.

D. Non-governmental initiatives

13. The "Maurice Sixto" home for child domestics is one of the few programmes in Haiti to tackle the manifold risks threatening the development of children in domestic service. It provides services for more than 300 children in the metropolitan area. The staff in charge of the home obtain the employer's agreement to allow the children to see their natural families as often as possible. In the afternoons those minors, in their original homes, attend classes with other children.

14. "Le Passage" takes in children in domestic service who have been victims of abuse. Working in cooperation with the Institute of Social Welfare and Research, it regularly intervenes in the field to bring back those children to their original families.

E. Other initiatives

15. The minimum age provisions are among the essential items in the Convention on the Rights of the Child that ILO recommends its member States to ratify. The Haitian Government has accordingly returned to ILO the questionnaire on the content of the new instruments.

16. In addition, the report on the implementation of Convention No. 138 has been prepared for submission to the competent authority.

F. Conclusion

17. Taking into account the serious dangers involved in child labour, the Haitian Government is taking all the necessary measures and instituting the necessary mechanisms with a view to progressively eliminating this kind of injustice, so as to enable children to enjoy their rights to the full.

United Arab Emirates

[Original: Arabic]
[8 April 1999]

1. The Constitution of the United Arab Emirates guarantees non-discrimination among citizens of the Federation on grounds of origin, place of birth, religious belief or social status. Moreover, all individuals are equal before the law and foreigners living in the State enjoy the rights and freedoms recognized in the international conventions in force or in the treaties and agreements to which the Federation is a party (art. 25).

2. The United Arab Emirates is free from all forms of traffic in persons and of the exploitation of the prostitution of others and no form of sale of children, child prostitution or child pornography can be found therein.

3. There is no form of slavery. Article 346 of the Penal Code stipulates as follows:

> "Anyone who causes a person to enter or leave the country with a view to acquiring possession or disposing of the said person, and anyone who acquires, buys, sells, offers for sale or in any way disposes of a person as a slave, shall be liable to a term of imprisonment."

4. The death penalty is prescribed for anyone who uses coercion in order to have sexual relations with a female or to engage in sodomy with a male. Coercion is deemed to have been used if the victim was under 14 years of age at the time of commission of the offence (art. 354).

5. The above-mentioned Code also prescribes a penalty of up to 10 years' imprisonment for anyone who uses coercion, threats or deception to induce a male or female to engage in debauchery or prostitution (art. 364).

II. INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

Pax Christi International

[Original: English]
[9 February 2000]

1. Pax Christi International has recently been working with the Pastoral Land Commission (CPT) in Brazil on the issue of anti-slavery in that country. CPT is an organization affiliated with Pax Christi International. All partners of the Pax Christi network have been invited to write letters to the Brazilian Minister of Labour on this issue.

2. Early this year, Pax Christi International also forwarded a written intervention on the issue of "labour migration" to be made available at the fifty-seventh session of the Commission on Human Rights.